

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA, et al.,)	No. C70-9213 RSM
)	Subproceeding No. 09-01
Plaintiffs,)	
)	
v.)	QUILEUTE INDIAN TRIBE, QUINAULT
)	INDIAN NATION, AND HOH INDIAN
STATE OF WASHINGTON, et al.,)	TRIBE'S REQUEST FOR STATUS
)	CONFERENCE
Defendants.)	
)	
)	
)	

Quileute, Quinault, and Hoh request that this Court provide all parties in Subproceeding 09-1 the opportunity to propose appropriate boundaries in light of the Ninth Circuit's decision in *Makah Indian Tribe v. Quileute Indian Tribe*, 873 F.3d 1157 (9th Cir. 2017). Just as in Subproceeding 11-2 (see Dkt. 228 in Subproceeding 11-2), the parties in Subproceeding 09-1 should be afforded the opportunity to either brief the issue or attempt to resolve the issue through settlement.¹ To date, the parties have not been given a chance to provide input to the Court in light of the Ninth Circuit's decision and in light of certain new arguments made by the parties in Ninth Circuit briefing. The mandate on the appeal was entered on February 15, 2018 (Dkt. 438 in Subproceeding 09-1).

¹ For example, prior to appeal, Makah and Quileute were in agreement on a boundary line describing the upper 1/3 of Quileute's western boundary. See Dkt. 389-1, Exhibit D (8/24/2015).

QUILEUTE, QUINAULT, AND HOH REQUEST FOR STATUS
CONFERENCE- 1

Case No. C70-9213, Subproceeding 09-01

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1 For these reasons, Quileute, Quinault, and Hoh request that the Court vacate its March 5,
2 2018 Order (Dkt. 21702) and hold a status conference to either develop a briefing schedule or
3 refer this matter to settlement.

4 The undersigned parties make this request without waiver of their rights to seek
5 reconsideration of the Order should it not be vacated.

6 Respectfully submitted this 8th day of March, 2018.

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CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2018, I electronically filed the foregoing document using the CM/ECF system, which will notify all parties in this matter who are registered with the Court's CM/ECF filing system of such filing.

DATED this 8th day of March, 2018.

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